

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:  
DOUGLAS WARREN GORATH,  
Debtor,

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ORDER FOR  
SCHEDULING CONFERENCE

Aristo Kolas, Peter Kolas and  
Nicholas Kolas,  
Plaintiffs,

BKY 04-31329

vs  
Douglas Warren Gorath,  
Defendant.

ADV 04-3368

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Pursuant to Fed R. Civ. P. 16, as incorporated by FED. R. BANKR. P. 7016, IT IS HEREBY ORDERED:

1. *Inapplicability of Disclosure Requirements*: The provisions of FED. R. CIV. P. 26(a)(1), 26(f), 26(a)(2), and 26(a)(3) shall not apply in this adversary proceeding.
2. Counsel for all parties shall attend a scheduling conference at Courtroom No. 228B, at U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101, on ***December 1, 2004 at 11:30 a.m.***
3. Counsel shall be prepared to discuss the following at the conference:
  - a. Legal and factual issues raised by the parties' claims and defenses.
  - b. Discovery contemplated, and time necessary for its completion.
  - c. Contemplated motions as to jurisdictional matters, dismissal, or summary judgment.
  - d. Prospects of settlement.
  - e. Length of time that trial would require; identity of witnesses and exhibits.

BY THE COURT:

DATED: October 18, 2004

*/s/ Gregory F. Kishel*  
Gregory F. Kishel  
Chief United States Bankruptcy Judge

**COUNSEL: PLEASE NOTE:**

1. If counsel for the plaintiff(s) has not received an answer from the defendant(s), and if there has been no appearance from the defendant(s), the Court encourages the plaintiff(s) to move for default judgment. The motion may be set on the calendar for the same date and time as the scheduling conference. See LOC. R. BANKR. P. (D. MINN.) 5071-1, 7055-1, 9006-1, AND 9013-2, among others.
2. The Court will conduct the scheduling conference via telephone conference call if this adversary proceeding has uncomplicated subject matter and if *all* counsel wish to attend by telephone. Counsel requesting a telephonic conference shall first coordinate it with all other counsel and obtain the numbers at which they may be reached. Only after such coordination may counsel advise the Court's calendar clerk (at 651-848-1061), and in any event shall do so no later than 24 hours before the date and time set for the Scheduling Conference. The Court will initiate the conference call, to ensure maximum quality of connection.

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I, ANITA M. LARSON, hereby certify:

That I am the Calendar Clerk to Chief Gregory F. Kishel of the United States Bankruptcy Court for the Third Division of the District of Minnesota at St. Paul, and that on **October 18, 2004**, true and correct copies of the annexed:

Order for Scheduling Conference

were placed by me in individual official envelopes, that said envelopes were addressed individually to each of the person(s), corporations, and firms at their last known addresses, were sealed and on the day aforesaid were placed in the United States mails at St. Paul, Minnesota, to:

LORIE KLEIN  
MOSS & BARNETT  
90 S 7<sup>TH</sup> ST STE 4800  
MINNEAPOLIS MN 55402

ROGER PETERSEN  
PETERSEN & MULCAHEY  
119 6<sup>TH</sup> ST SW RM B  
ROCHESTER MN 55902

and this certificate was made by me.

/e/ Anita Larson  
Deputy Clerk